

SANBAG 2015-2016 State Legislative Platform

The legislative platform serves as the basis to proactively engage in policy and legislative initiatives that will enable the San Bernardino Associated Governments (SANBAG) to deliver projects and programs that meet the needs of our region. This document also guides staff recommendations to the SANBAG Board of Directors on state legislative, regulatory, and administrative matters that are anticipated to be addressed in the coming legislative session.

SANBAG will collaborate with regional and statewide stakeholder groups to advance the legislative program including, but not limited to, the Southern California Consensus Group, Mobility 21, California Association of Councils of Governments, the Self-Help Counties Coalition, the California Transit Association, the Southern California Regional Rail Authority, and the High Desert Corridor Joint Powers Authority.

Key Issues

In the coming legislative session, SANBAG anticipates a number of key issues to be considered including initiatives related to Cap and Trade funding distributions and innovative project delivery mechanisms.

Cap and Trade

- a) Support the use of auction revenue from fuels to implement the AB 32 regulatory program and Sustainable Communities Strategies as required under SB 375 to reduce greenhouse gas (GHG) emissions from transportation allowing for local flexibility on project selection, considerations of the cost-effectiveness and technological feasibility, and promote innovation, collaboration, economic development and sustainability.
- b) Continue to advocate that project funding determinations be targeted at the regional, level reflecting each region's transportation funding structures under statewide criteria for evaluating GHG impacts.
- c) Support actions that assist local governments with meeting regional GHG reduction goals including, but not limited to, grants, incentive funding, and economic development tools that support transit oriented development.
- d) Support an implementation program that includes a performance-based approach to maximize regional flexibility with improved modeling and verification systems to ensure effective results.
- e) Advocate that the distribution of funds arising from transportation sources should fund a broad array of projects that are geographically balanced rather than focus exclusively on a single or limited set of specified projects.

Innovative Project Delivery

SANBAG will advocate that innovative financing opportunities remain available for county transportation commissions to leverage local dollars, accelerate construction and job creation, and provide mobility options for the traveling public.

- a) Support the consideration of public-private partnerships (P3s) in the development of transportation improvements.
- b) Work to ensure that existing innovative project delivery methods such as design-build, construction manager/general contractor, and other tools are available and effective for a broad variety of projects including highways, transit, and local streets and roads.

- c) Support measures that expand the use of design-build and P3s, with expanded flexibility, reduced multi-level approval and reporting requirements for projects that are largely locally funded or locally controlled, and an extended timeline for use of the authority.
- d) Advocate for reforms to ensure projects are delivered faster, with increased flexibility and better coordination.
- e) Support legislation and/or administrative reforms to enhance project delivery, including contracting out to the private sector, as appropriate.
- f) Oppose efforts to impose additional mandates, hurdles, and requirements, beyond those already in existence, on lead agencies using alternative project delivery mechanisms.
- g) Projects selected for alternative project delivery mechanisms should be based on locally driven alternatives and needs and should not require state approval when funded primarily with local funds.
- h) Support process and timeline improvements to reduce the overall state review time.
- i) Support efforts to ensure the streamlining provisions of MAP-21 are implemented in a timely manner and in a way that provides the maximum benefit to project delivery schedules.
- j) Oppose efforts to impose state requirements without the consent of the local agency for the expenditure of locally raised revenues, including Measure I and potential toll revenues.
- k) Oppose legislation that seeks to divert local revenues for state purposes.
- l) Support efforts to preserve local flexibility in the administration of toll facilities.
- m) Oppose any requirements to allow specific vehicle classes to have unrestricted access to carpool or toll facilities.

I. State/Local Fiscal Issues

- a) SANBAG will advocate for stable State funding, indexed for population growth, for transportation projects in San Bernardino County.
- b) Oppose unfunded mandates on local governments.
- c) Support priority state funding for projects supported by voter-approved transportation local sales tax measures.
- d) Support efforts to maintain and protect transportation and transit funding as approved under the gas tax swap and as protected under Proposition 22. Oppose the diversion of transportation revenues for non-transportation purposes.
- e) Oppose efforts to link existing transportation funding sources to the achievement of AB 32 objectives. Such priorities should be funded with new or enhanced funding sources rather than the reprioritization of existing, already oversubscribed sources.
- f) Support budget and California Transportation Commission allocations to fully fund projects for San Bernardino County included in the State Transportation Improvement Program, State Highway Operation and Protection Program, bond programs, and the Measure I Expenditure Plan.
- g) Support the implementation of Moving Ahead for Progress in the 21st Century (MAP-21) in an equitable manner at established funding levels with respect for the roles and responsibilities in existence in each region guiding project selection and discretion in allocation decisions.
- h) Support retention of decision making, project selection, and funding authority at the county transportation commission level governing the use of all related funding sources.
- i) Oppose legislative or regulatory actions that rely on regional transportation agencies to raise revenue for transportation or planning purposes.
- j) Support legislation to provide funding for innovative, intelligent/advanced transportation, goods movement, demand management, active transportation, and air quality programs which relieve congestion, improve air quality, and enhance economic development.

- k) Oppose an unreasonable increase in the administrative fees levied by the Board of Equalization for the collection and administration of county transportation sales tax measures and seek relief if necessary.
- l) Support state policies that assure timely allocation of transportation revenue and allow for regions to advance projects with local funds as needed.
- m) Support legislation that will incentivize counties without a voter approved tax measure for transportation to become “self-help” counties and recognizes/rewards the investment in the state’s transportation system made by self-help counties.
- n) Support the resolution of outstanding Buy America implementation issues to ensure that projects are able to move forward without unreasonable delays and cost increases.

II. Council of Governments

- a) Support local control of the Ontario International Airport in recognition of the benefits of goods movement and passenger travel to San Bernardino County and the Inland Empire.
- b) Support efforts for Council of Government development and funding.
- c) Monitor legislation related to incentives for the development of affordable housing and transit-oriented developments
- d) Support legislative and regulatory actions that incentivize the attraction, retention, and growth of businesses and employment in San Bernardino County.

III. Goods Movement

- a) Support the development of the state freight plan, which recognizes the unique needs of San Bernardino County and its significant role in freight movement. The plan should not only recognize the economic benefits of the freight industry but should also include proposals to mitigate the associated congestion, air quality and community impacts and a recognition of the regions parallel transportation systems through a corridor based approach.
- b) Support legislation that reduces freight-related impacts to San Bernardino County, including a particular focus on impacts to disadvantaged communities.
- c) Ensure that goods movement project selection and prioritization authority is maintained at the local level.
- d) Monitor any state container fee legislation to ensure that San Bernardino County goods movement projects are funded and that San Pedro Bay Ports are not placed at a competitive disadvantage that would harm the overall Southern California economy.
- e) Oppose legislation that allows triple trailers in urbanized areas of San Bernardino County because of safety concerns, with the exception of border cities and/or bump stations, or dedicated truck lanes (e.g. Barstow/Needles).
- f) Support legislation to reduce road damage from heavy trucks by reduced axle loading rather than an exclusive focus on gross vehicle weight.
- g) Support recognition of the importance of San Bernardino County to the overall goods movement systems as part of any investment plan.
- h) Support freight-related funding programs similar to the Trade Corridor Improvement Fund, providing such a program would not divert funding from existing transportation programs.

IV. Energy, Air Quality & the Environment

- a) Support incentives to transition to alternative fuels and electric vehicles (EVs), including tax benefits and other incentives.
- b) Support cost effective and technologically feasible conversion and replacement of public transit fleets to alternative fuels and EVs.

- c) Support programs to provide refueling/recharging infrastructure for alternative fuel or electric vehicles.
- d) Support Property Assessed Clean Energy (PACE) program financing.
- e) Support utility planning and upgrades to electrical infrastructure in support of fleet conversion and possible rail electrification programs.
- f) Monitor regional proposals aimed at Cap and Trade and its focus on infrastructure impacts.
- g) Support maximum regional project selection capabilities for Active Transportation Projects.
- h) Continue to support the independence of the Mobile Source Air Pollution Reduction Review Committee, and the protection of AB 2766 funding.
- i) Oppose legislative action that would reduce SANBAG's discretion in allocating Congestion Mitigation and Air Quality (CMAQ) funds.
- j) Work in partnership with the South Coast Air Quality Management District and the Mojave Desert Air Quality Management District to promote job creation and retention, protect the public health, and work to improve the overall quality of life for San Bernardino County residents.
- k) Support legislation to streamline the environmental review and project development process to avoid potentially duplicative and unnecessary steps, while maintaining critical environmental protections.
- l) Partner with key stakeholders to advocate for the postponement of federal air quality standard deadlines in the South Coast Basin in order to allow for a more realistic implementation timeframe given the current forecast of available technology and funding options.
- m) Support revisions to the California Environmental Quality Act (CEQA) that expedite project delivery while maintaining critical environmental protections.
- n) Support a review of existing state and federal environmental and planning laws to reduce unnecessary and duplicative provisions.
- o) Oppose additional CEQA review and process requirements that delay projects and increase costs while achieving little to no additional environmental benefits.
- p) Oppose provisions that allow the CEQA process to be used to achieve non-environmental goals or to slow or delay projects that otherwise meet adopted environmental standards and include required mitigation measures.

V. Highways & Roads

- a) Support current program funding for Freeway Service Patrol, ride-sharing and call boxes, consistent with the level of growth and utilization.
- b) Support equitable funding and resources for San Bernardino County freeway landscaping and maintenance.
- c) Monitor the use of National Environmental Policy Act oversight authority delegated to the California Department of Transportation to ensure that local and state projects are receiving equal benefits and reduced project review times.
- d) Participate in studies of market-based pricing measures to relieve traffic congestion, improve air quality and/or fund transportation alternatives.
- e) Encourage the new State Transportation Agency to develop a mechanism for reporting on the performance of the new agency and the quality of the state and local project delivery programs and services, particularly in light of new requirements to locally fund state services such as oversight, project initiation documents, and other items.
- f) Monitor the implementation of the California Transportation Infrastructure Priorities (CTIP) and State Smart Transportation Initiative (SSTI) programs. Oppose any efforts to shift local funding to interregional and statewide needs, the possible restructuring of the STIP allocation process to shift funds away from local agencies, and any efforts to impede or remove local flexibility and control over local revenues, and project selection/administration authority.

VI. Transit & Commuter Rail

- a) Advocate that transit operations continue to have a strong state funding role as a vital service that improves mobility and helps meet federal and state mandates.
- b) Oppose additional requirements for increased service levels unless they are agreed to by the transit operator or appropriately funded.
- c) Advocate for a safe, appropriately funded, and growing bus and rail system in Southern California with equitable distribution of funds and flexibility in the administration of the programs to meet the needs of each region.
- d) Support state funding for Positive Train Control.
- e) Support legislation and programs that facilitate (or remove obstacles to) transit oriented development near rail and bus rapid transit stations.
- f) Advocate for high speed, and higher speed, rail investment in San Bernardino County and connectivity with local and regional transit.
- g) Support increased funding for higher speed commuter rail and improved transit connectivity as feeder services for High Speed Rail (HSR).
- h) Assure a SANBAG role in the planning for HSR and advocate for the full evaluation of all viable routes serving San Bernardino County before a final alternative is chosen.
- i) Advocate priority for the L.A.-San Diego via the Inland Empire HSR route.
- j) Advocate to secure funding for the completion of all connectivity projects complementary to the development of HSR.
- k) Support incentives for ridesharing and/or reimbursement for transit passes.
- l) Support state funding for commuter rail operations.
- m) Support appropriate funding levels from state sources to support transit operations that help to achieve AB 32 and SB 375 goals. The state should also recognize that, absent a new source of state funding, agencies will be unable to fully fund the level of service required to meet those goals in the future.
- n) Oppose legislation that seeks to mandate that SANBAG fund or operate specific transportation projects in San Bernardino County.
- o) Advocate to preserve SANBAG's decision making authority over transportation projects that are constructed and operated in San Bernardino County.
- p) Oppose all efforts that threaten the viability of SANBAG's Measure I Transit Program by requiring uncontrolled expenditures on an individual project or group of projects.
- q) Ensure that planning efforts for major transit investments in San Bernardino County should be done by or in consultation with SANBAG.
- r) Work with stakeholders to update bus axle weight standards.

VII. General

- a) Oppose legislation that could threaten the timely delivery of projects in the Measure I Expenditure Plan or interferes with the authority to administer any Measure I programs and services.
- b) Oppose legislative and regulatory efforts to reduce SANBAG's ability to efficiently and effectively contract for goods and services, conduct business for the good of the organization, and limit or transfer risk or liability.
- c) Monitor changes to the Brown Act that relate to the use of new technologies for communication with the public and with members of the Board of Directors, as well as changes to legislation related to public records and information requests.